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FM AMEMBASSY LONDON
TO RUEHC/SECSTATE WASHDC PRIORITY 9590
INFO RUCNFUR/DARFUR COLLECTIVE PRIORITY
RUEHKH/AMEMBASSY KHARTOUM PRIORITY 0112
RUEHFR/AMEMBASSY PARIS PRIORITY 3274
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 LONDON 002195

NOFORN
SIPDIS

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TAGS: PREL PHUM KAWC SU UK

SUBJECT: SUDAN: P-3 DISCUSSIONS ON SUDAN - ICC ISSUES

REF: PARIS POINTS - 8/21/2008

Classified By: Political Counselor Richard Mills, reasons 1.4 (b/d).

1.(C/NF) Summary. On August 22, UK, French, and U.S. representatives met in London to discuss ICC - Sudan issues. Capitals said their government
UK Thinking -----

2.(C/NF) The UK delegation said HMG rejects any suggestion that an Article 16 deferral of Bashir's indictment de-legitimized the ICC. Article 1

3.(C/NF) In HMG estimation, the time at which the international community has the maximum leverage is just before the pre-trial ruling on the I

4.(C/NF) If an Article 16 does go forward, the UK will want it to be reviewed every four to six months (less than the 12-month maximum period c

5.(C/NF) HMG has not made any decisions regarding an Article 16 deferral; a final decision will be taken by Foreign Secretary Miliband, Develop
French Thinking -----

6.(C/NF) The French delegation also confirmed that the GOF had not come to a decision, but said it was actively exploring options for an Article 16

7.(C/NF) The French delegation said they consider a two-stage approach to an Article 16 deferral as the most viable: stage one, Sudanese commit

8.(C/NF) Addressing ICC legitimacy, the French delegation said P-3 should "bear in mind" the potential ramifications a Bashir indictment would
US Thinking -----

9.(C/NF) USG representatives confirmed that no decisions had been made on a potential Article 16 deferral, and when the time comes to make the
Next Steps -----

10.(C) The delegations agreed to remain in contact and to meet (possibly via video conference) in roughly two weeks. There was general consensus
Comment -----

11.(C/NF) The French are the most forward-leaning on an Article 16 deferral but they have the least experience in dealing with the NCP, as demc

12.(U) Delegations: UK: Michael O'Neill, FCO UK Special Representative for Sudan Harriet Moynihan, FCO Legal Adviser Paul Johnson, FCO Internat
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